

REMARKS

In view of the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.

Claims 2, 5, 8, 10, 24, 25, 30, 33, 34, and 36-39 were pending at the time of this Office Action, with Claims 8, 30, and 36 the independent claims. Claims 8 and 30 are amended herein. Support for the amendment to claims 8 and 30 is found, for example, at page 13, line 11, and throughout the specification as filed.

Claims 40 and 41 are added herein. No new matter has been added. Support for new claims 40 and 41 is found, for example, in the paragraph beginning on page 3, line 20, and in the paragraph beginning on page 11, line 5.

Claims 2, 8, 10, 25, and 36 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Arlach, *et al.*, U.S. Patent No. 6,026,433 ("D'Arlach"), in view of Kobayakawa, *et al.*, U.S. Patent No. 6,119,078 ("Kobayakawa"). Claims 5, 30, 33, 34, and 37-39 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Arlach and Kobayakawa, in view of Evans, III, U.S. Patent No. 5,732,231 ("Evans, III"). Claim 24 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Arlach and Kobayakawa in view of Dan, *et al.*, U.S. Patent No. 6,560,639 ("Dan").

Interview Summary

Applicants thank the Examiner for the courtesies extended during a telephonic interview conducted on January 12, 2006. During the interview, the parties discussed various ways that the prior art is distinguishable from the current claims and from the proposed amended claims presented herein. No agreement was reached with regard to allowable subject matter.

35 U.S.C. § 103 Rejections

All Pending Claims

All pending claims are allowable at least because (a) D'Arlach and Kobayakawa; (b) D'Arlach, Kobayakawa, and Evans, III; and (c) D'Arlach, Kobayakawa, and Dan, alone or in

combination, do not teach or suggest each and every feature of the claims as recited in the claims.

None of the cited references includes the requirement that the web document be dynamically generated. Applicants respectfully submit that the continuing rejection is based on a misapprehension of the operation of the cited art, particularly Kobayakawa. A brief summary of operation of Kobayakawa contrasted with operation of an embodiment of the present invention will demonstrate the differences between the two, and will show that Kobayakawa does not contemplate all of the limitations of the instant claims. Of course, the following description is provided for illustrative purposes, is directed to an embodiment of the invention, and should not be read as limiting the claims of the instant invention.

In Kobayakawa, a potential Viewer of a target web page in language A inputs a target URL into a translation interface. The translation interface has been pre-set to translate a web page in language A into a web page in language B, which is the language in which the Viewer desires to view the target web page. The translation interface parses the target URL, providing information that allows selection of a possibly relevant translation engine (that is, a translation engine more likely to be directed to the field of the subject matter believed to be associated with the target URL). A translation engine is selected. Information from the target web page is sent to the translation engine, translated, and presented to the Viewer as an output page. (See Kobayakawa, col. 3) The content displayed by Kobayakawa is therefore limited to that displayed by the translation engine, which is likely unrelated to the web page being translated.

In the instant application, a potential Viewer of a target web page inputs the target URL of that web page into a browser. The desired viewing language, language B, is determined based on, for example, either user input or on analysis of the character set used by the Viewer (but not, it will be noted, by analysis of the target URL, as in Kobayakawa; *compare* Claim 10 of the instant application). A web page is dynamically created and populated with data in language B. This data is not generated based on a translation engine's analysis of an existing web page in language A; instead, it is generated from variables that have been assigned values in language A, language B, and perhaps other languages. Even if the variables were assigned by a user who

assigned them in language A, no web page ever need exist in language A. Unlike Kobayakawa, the translated content of the web page, even including, if desired, graphics and sound, may be tailored to viewing and listening in language B.

With the benefit of the specification, one can understand how the instant invention as claimed differs from direct translation reported by Kobayakawa. For example, while only text is normally translated by a translator, the method as claimed and described in the instant invention allows dynamic insertion of different graphic or sound elements in the web page. This could be used, for example, to remove or alter images that a culture likely to be associated with a given language might find offensive or confusing, or to change text appearing in graphics to text in the viewer's language, or to localize musical content so that the lyrics of music played at the web page are also in the Viewer's language. A different song entirely might be preprogrammed for a different language, if appropriate. None of this is contemplated by Kobayakawa or by any of the other cited documents.

Kobayakawa lacks motivation for combination with D'Arlach. Kobayakawa repeatedly limits the scope of discussion to text translation:

- "Unfortunately, it can be difficult to automatically translate text in one language to text in another language...." (Col. 2, lines 14-15).
- "The translation proxy ... temporarily transmits the original text in the Web page to the translation engine." (Col. 12, lines 58-61).
- "[T]ranslated text is displayed immediately under the original text on the screen." (Col. 13, lines 15-16).

Kobayakawa chose to distinguish "text" from images in the specification, and all of the translation discussion is directed to "text." For example, Kobayakawa notes, "[T]he functionality of a hypertext document (referred to hereinafter as a "Web page") comes from its ability to link text, images, and other objects within a document to text, images, and objects located elsewhere on the Internet." (Col. 4, lines 63-67; see also Fig. 7, which does not show image changes). Because Kobayakawa does not suggest any translation or alteration of images or sound, and because Kobayakawa emphasizes text, even if the combination of Kobayakawa and D'Arlach

included all of the limitations of the subject claims (and the applicants maintain that they do not), there would be no motivation to combine Kobayakawa and D'Arlach.

Because the cited publications fail to teach or suggest at least this feature, the cited publications fail to teach or suggest each and every feature of the claims. For at least this reason, the 35 U.S.C. § 103 rejections are improper and should be withdrawn. All of the pending claims should be allowed.

The pending dependent claims are also patentable. Each depends on an allowable base claim, and each recites patentable matter in its own right. Withdrawal of these rejections and allowance of the claims is respectfully requested.

Conclusion

At least in view of the amendments and remarks herein, the Applicants believe that Claims 2, 5, 8, 10, 24, 25, 30, 33, 34, and 36-41 are in condition for allowance and ask that these pending claims be allowed. It is believed that all of the outstanding rejections and objections have been addressed; however, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment.

CONCLUSION

It is believed that all of the pending claims have been addressed in this response; however, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Claims 2, 5, 8, 10, 24, 25, 30, 33, 34, and 36-39 are in condition for allowance, and a notice to that effect is respectfully solicited.

No fee is believed to be due at this time. Please apply any other charges or credits to Deposit Account No. 02-4553, in the name of Buchanan Ingersoll PC.

Respectfully submitted,

Date: February 17, 2006



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